# TO SUMMON JURORS IN THE RUEF CASE

Does Disqualification of Sheriff As to Custody of Defendant Extend to Other Duties?

PRESENT PANEL EXHAUSTED.

Special Prosecutor Johnson Gives Notice of Motion for Redisqualification And Appointment of an Elisor.

San Francisco, April 11 .- One of the most interesting questions-from a material as well as a purely legal standpoint-to be evolved out of the Ruef trial was projected today by the prosecution, and will be determined tomorrow by Judge Dunne. It is, briefly stated, whether the act of the court in disqualifying the sheriff from having the custody of Ruef had and has the effect of disabling the sheriff from now summoning a fresh venire from the regular jury list of 2,400 names and thereby necessitate the appointment of an elisor to summon special venire from the body of the

The present panel of talesmen hav-

special venire from the body of the county.

The present panel of talesmen having been exhausted today, with no sure as yet inally chosen to try the case, a new panel must be drawn or summoned before the proceedings can go on. Sheriff O'Neil having been disqualified, on motion of the prosecution, for personal bias in favor of Ruef, the state is not willing that O'Neil shall have the summoning of a new ranel from the regular jury list. Consequently Special Prosecutor Johnson shortly before today's adjournment gave notice of a motion for the re-disqualification of the sheriff and the appointment of an elisor to summon a special venire of 100.

This is the anticipated move against which the defense has been silently contending and carefully preparing for weeks. Outside of the courtroom Ruef's counsel have made no secret of their great desire to have a new venire, (when the time for it should arrive) from the jury list instead of a specially supmoned, or of their strong objection to the veniremen being haled into court by Elisor Biggy or anyother elisor instead of by the sheriff. Judge Dunne himself recognized the nicety of the point involved when he said, in response to Johnson's motion and to Ach's emphatic objection, that it was his purpose to "proceed in the orierly and usual way," unless convinced that justice demanded the summoning of a special venire. It is stated that if the latter course is followed and an elisor appointed to summon the talesmen and have charge of the proceeding will have the support of recent decisions to the effect that a sheriff cannot be disqualified from certain of his swern duties and allowed to perform certain of his other matural functions in one and the same case. In other words, that his disqualification by a court is complete lastead of partial as far as the case on trial is concerned.

O'Neil, however, was disqualified by Judge Dunne on a motion by the prosecution which covered custodial

# BABY WASTED TO

In Torments a Year and a Half with Terrible Sores on Face and Body - Hands Tied to Stop Scratching and Tearing at Flesh - But

## CURE BY CUTICURA COMPLETE AND SPEEDY

"My little son, when about a year and a half old began to have sores come out on his face. I had a physician treat him, but the sores grew worse. Then they began to come on his arms, then on other parts of his body, and then one came on his chest, worse than the ochers. Then I called another physician. Still he grew worse. At the end of about a year and a half of suffering he grew so bad I had to tie his hands in cloths at night to keep him from scratching the sores and tearing the fiesh. He got to be a mere skeleton, and was hardly able to walk. My auta advised me to try Cuticura Soap and Ointment. So great was her faith in it that she gave me a small piece of Cuticura Soap to try and a little Cuticura Continent. I took it home without any faith, but to please her I tried it, and it seemed to dry up the sores a little. I sent to the drug store and got a cake of Cuticura Soap and a box of Cuticura Ointment and followed the directions, and at the end of about two months the sores were all well. He has never had any sores of any kind since. He is now strong and healthy, and I can sincerely say that only for your most wonderful remedies my precious child would have died from those terrible sores. I used only one cake of Soap and about three bores of Ointment. Mrs. Egbert Sheidon, R. F. D., No. 1, Woodville, Conn., April 22, 1905."

# ITCHING PIMPLES

Cured by Cuticura in Nebraska. "I had suffered with itching pimples for years. At last a friend told me to get Cuticura Scap and Ointment. I did so and in three weeks my face was entirely cured. I am so pleased with Cuticura Remedies that I will recommend them to other sufferers. Mrs. Florence Delayergne, R. F. D. No. 2, Auburn, Neb., Aug. 28, 1996.

Domplete External and Internal Treatment for very Humor of Infants, Children, and Adults con-ties of Cuthura Song 1550; to Granae the Skin, Albura Ciminent (500) to Heal the Skin, and Misura Resolvent (500), for in the form of Chocca-distant Resolvent (500), for in the form of Chocca-tic Coutted Prits [200, per val of 60) to Furtly the Coutted Prits [200, per val of 60) to Furtly the Chemical Resolvent (500) to Furtly the

GUIES For Backache, Rheumatism and the Kidneysant Blodder

he had been approached as a juror, by a man he did not know. Ach sug-gested that Johnson might be able to tell this person's name. Johnson re-turned the compliment in kind, and

turned the compliment in kind, and a wordy war ensued.

The prosecution will tomorrow file affidavits in support of its motion for the re-disqualification of an elisor to summon a special venire. Arguments will follow and the defense may ask and obtain leave to orepare and file counteraffidavits in support of its contention that the sheriff should be ordered to summon an ordinary venire from the regular list,

### MAJ. FREMONT'S CASE.

Declares He Secured the Sums Referred to in Good Faith.

New York April 11.—Maj. Francis P. Frement's own story of the various transactions which led to charges of borrowing money on false representations as to his anancial responsibility, was today placed before the court-martial which is revine this bear. placed before the court-martial which rights him here. It was in the form of a statement made to Maj. Parker W. West, who, as as-sistant inspector-general, had been as-signed to special duty relating to an in-vestigation of the charges against Maj.

restigation of the charges against Maj-Fremont.
Maj Fremont declares he secured the various sums referred to in the specifi-rations in good faith and not by reason of his position as an efficer of the United states. Financial entanglements brought on by the divorce suit instituted by Maj. Fremont's wife, the payment of all-mony and the bringing of the suit by the Plattsburg bank, forced him to the wall tecording to the statement. Regarding the San Francisco property, which he is alleged to have told about n order to secure a loan, the statement lectares Maj. Fremont claimed to have only a contingent interest and that he did not claim that he owned it outright.

THE SANTA FE LOSES.

Its Motion to Quash Indictments for Rebating Denied.

Rebating Denied.

Los Angeles, April II.—Motions to quash the indictments for rebating returned against the Santa Fe railroad by the federal grand sury Feb 3 were denied today by Judge Olin Wellborn in the federal tourt. The motions to quash the indictments against John I. Schirm and the Grand Canyon Lime & Coal company of Alrizona, to whom, it is alleged, the rebates were given, were also denied. This is a distinct victory for the government, the attorneys for the railroad having made the most extended pleas in support of their motion.

# INCITING TO REBELLION.

Abbe Jouin Charged With Offense in A Paris Police Court.

A Paris Police Court.

Paris, April 11.—The Abbe Jouin, rector of the church of St.Augustine, was brought up in a police court today to answer the charge of inciting to rebellion from the pulpit in connection with the taking of church inventories. The court was crowded in consequence of the public expectation that revelations were contained in the documents seized at the papal nunciature and that the prosecuting attorney probably would read them. The abbe declared that he had never transgressed the laws; the prosecutor read letters of Mgr. Montagnini which he declared demonstrated that the former secretary of the nunciature was continually intriguing in order to hinder the French clergy from obeying the church and state separation laws and that he acted as real head of the church in France. The court will render judgment April 13.

## ARMY VETERANS.

Commander-in-Chief Brown, G. A. R.,

instead of partial as far as the case on trial is concerned.

O'Noeil, however, was disqualified by Judge Dunne on a motion by the prosecution which covered custodial duties only. Hence Johnson will ask for a re-disqualification and the formal reappointment, it is understood, of Biggy as elisor.

Three probationary furors were accepted during the day, increasing the number in the box to 16, all of whom are subject to peremptory challenges. They are Theodore Cohen, a dry goods merchant; John J. Duffy, drayman, and Bartholomew O'Regan, retired liquor dealer, was challenged for his bias in favor of Ruef and dismissed. Another, T. E. Herlihy, failed to answer to his name. A search disclosed that he was not in the city, and he was excused by the court over the objection of the defense.

A lively encounter between Attys. Ach and Johnson occurred early in the afternoon session over a voluntary statement from Juror Cohen, made by permission of the court, that

Washington, April 11.—In an opinion by the interestate commerce commission the principle was laid down that a radroad company cannot arbitrarily determine that a particular establishment shall compete in a certain market with other localities and that other similar establishments on its lines shall not so compete, particularly where the discrimination is not justified by operating conditions. The decision was applied to the case of the Texas Cement Plaster company against the St. Louis & San Francisco Rallroad company, involving a complaint of unlawful discrimination in rates on cement plaster in carload lots.

The defendants were ordered to adjust their tariffs accordingly and to pay the complainant reparation in the amount of excess charges with interest. Washington, April 11.-In an opinion

J. H. BRAYTON COMMITS SUICIDE. Chicago, April 11.—James H. Brayton, 61 years of age, principal of the Raymond school, committed suicide today by shooting. Ill health is believed to have been the cause.

## CARNEGIE PRIZES AWARDED TO PAINTERS.

Pittsburg, April II.—The formal redecication exercises of the enlarged Carnegie institute of Pittsburg were brought to a close for the day with the announcement of the prize winners in the international art exhibition.

Following are the successful painters: First prize, gold medal and \$1,500, Gaston La Touche, Paris, France, "The Bath."

Bath."
Second prize, silver medal and \$1,000,
Thomas Eakins, Philadelphia, "Professor Leslie W. Miller."
Third prize, bronze medal and \$500,
Olga De Boznauska, Paris; portrait of

The following received honorable

mention:
Lawton S. Parker, Chicago, portrait
of an English girl.
W. Granvilie-Smith, New York, "The
Old Mill."

Maurice Greiffenhagen, London, England, portrait of his wife.
At today's ceremonies addresses of international importance were delivered by Theodore von Moelier, minister of state, Germany; Paul Doumer, formerly speaker of the chamber of deputies, Paris; Andrew Carnegie, Baron d'Estournelles de Constant, member of the senate, Paris, and Dr. John Rhys, principal of Jesus college, University of Oxford.

A letter of regret from President

cipal of Jesus college, University of Oxford.

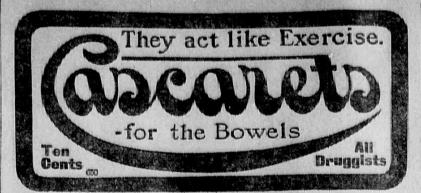
A letter of regret from President Roosevelt was read praising Mr. Carnegie for the great gift to science and education.

During the exercises the president was referred to as "The great peacemaker," and voefferous applause greeted every mention of his name.

Minister of State von Moeller in his address said his preschee here was as a message of good will from the German emperor, German subjects and himself. Minister von Moeller said the institute was one of the most wonderful buildings he had ever seen.

The notable feature of the exercises today was the parade of the European and American guests from the Hotel Schenley to the institute.

The exercises will continue Friday



and Saturday. On tomorrow the for-eign and American guests will discuss international peace. In the evening a banquet will be given by the trustees in honor of Mr. and Mrs. Carnegie.

LORD CROMER, BRITISH AGENT IN EGYPT, RESIGNS.

London, April II.—Lord Cromer, the British agent and consul general, in Egypt, has resigned, and Sir Eldon Gorst has been appointed to succeed here. In his letter of resignation Lord Cro-

In his letter of resignation Lord Cromer says;
"It is with extreme regret that I break my official connection with the present government. After spending, however, 49 years in the government service, I am thoroughly worn out and really unable to support any longer the excessive strain which my work here entails. I feel also that I do not possess the health or strength necessary to do justice to all the very important interests involved."

SMUGGLED JAPS CAUGHT.

El Paso, Tex., April 11,-Inspector T. El Paso, Tex. April II.—Inspector T. F. Schumacker, in charge of the immigration office here, received a telegram today, telling of the capture of eight smuggled Japanese. Five were caught at Fort Worth, one at Pecos and two at Albuquerque. They had escaped across the border east and west of the station.

OMAHA LAND FRAUD TRIALS.

Omaha, April II.—The land fraud to this morning with testimony in the Richards-Comstock-Janison case which contained the same charges, being read to the jury in the present case. There are 3,600 type written pages of this testimony to be read. To relieve the monotony of the reading, the attor-

testimony from live witnesses when tired reading from the old testimony.

## THE GRAVES INCIDENT.

Prest. Roosevelt Declines to Make Any Comment Upon It.

Washington, April 11.—President Rooseveit today declined all the many requests to make some comment for publication upon the declaration made by John Temple Graves of Georgia, at the Bryan anniversary club banquet at Chattanooga last night, that Mr. Bryan should at the forthcoming Democratic national convention nombute Passident

TO INSPECT STOCKYARDS.

Glasgow, April II.—The corporation of Glasgow has accepted an invitation of the American consul to send a deputa-tion to Chicago for the purpose of in-specting the sanitary conditions of the packing rouses and stockyards.

Portland, Or., April 11.—Mrs, Ignaty Lowengart, wife of a prominent merchant of this city, committed suicide at a nearly hour this morning by jumping from the Ford street bridge, a steel structure which spans Jefferson street. The bridge is 60 feet high at the point where Mrs. Lowengart jumped. The body was found shortly after by a passing policeman. Mrs. Lowengart had been a sufferer from nervous prostrabeen a sufferer from nervous prostra-tion for almost a year.

was received in a private telegram from President Welborn, who is in New York. Mr. Beaman has been connected with the Colorado Fuel and Iron com-pany almost since its organization and is its general counsel.

### STRIKE IN PARIS.

Bicycle Policemen Patrolled Principal Thoroughfares.

Paris, April li.—There was but little indication today that a strike movement had been begun, but blevele policemen patrolled the principal thoroughfares and the public buildings generally were guarded by troops.

At the barracks in the vicinity of the labor exchange a battalion of infantry was kept under arms.

Detachments of cavalry patrolled the Place de la Republique and the vicinity of the labor exchange where 2,000 bakers including many out of work, had gathered. Red flags were displayed upon the platform, revolutionary songs were sung and the leaders recapitulated the grievances of the bakers, which are principally connected with the non-application of the day of rest law.

Telegrams from the provinces indicate that the strike movement up to the present has resulted in a flasco.

NON-UNION MAN SHOT.

Elizabeth, N. J., April 11.-Jonathan Engabeth, Langston, a non-union forensia, was shot and seriously wounded in a clash between striking Italians and negro-hod carriers and non-union men here today. More than a dozen shots were today.

## AMERICAN TYPEWRITERS.

Motion Introduced in Reichstag to Ex-

clude Them From Germany. Berlin, April 11.—During the discussion in the budget committee of the reichstag today of an appropriation to purchase typewriting machines for the military authorities, Dr. Sudetum, Socialist, introduced a motion providing for the exclusion of American machines, "because of the prohibitive effect of the American customs duties on German goods." man goods."

Herr Paasche, National Liberal, first vice president of the reichstag, support-

Bilious? Feel heavy after dinner? Tongue coated? Bitter taste, Complexion sallow? Liver needs waking up. Doan's Regulets cure bilious attacks.

Our Grill Room at the Royal Cafe is open dally from 4 to 12 p. m.

50 cents at any drug store.

The Best Scouring Soap Made

A Scouring Soap A Metal Polish A Glass Cleaner

WALL PAPER AND PAINTS. 217 SO. STATE ST. Phones \$ <del>| |</del>

# 20 Pounds Sugar \$1.00

6 Pkgs, Blue Tip Matches. . . 25c High Patent Flour 6 Pkgs, Blue Tip Materies.
5 Pound Box Soda Crackers 49c
2 Pound Pkg, Soda Crackers 25c
3 Pkgs, Graham Crackers 25c
2 Pounds Gluger Snaps 25c
2 Pounds Fancy Mixed Cakes 25c
3 Cans Corn 25c Straight Grade ... 6 Pounds Navy Beans 316 Pounds Rice ...... 3 Pounds Macaroni ..... 250 3 Cans Corn Woods Cross Tomatoes.... 2 Large Veal Loafs..... 7 Pounds Rolled Oats Gal. Cans Woods Cross Cat-

74 W. FIRST SOUTH.

Second and last day of the

monster shirt sale.

One more day to choose from our ENTIRE STOCK of

Every shirt reduced. The only exception is the white negli-

gee line. All others at compelling price cuts. All new stock, all old stock, and in fact all the shirts we have are included.

Shirt-needing men, come. Saturday your last chance.

BELL PHONE, 2800.

Phones, Independent, 227; Bell, EXCHANGE 22. Call All Departments

# Valker's

Saturday Bulletin.

# "Oxford money" well spent here.

bought so much Oxbefore.

The line we are offering at this price comprises a splendid assortment of women's patent and fine dongola oxfords in extension sole and turned styles. Either in the

button or Blucher effect. Actual worth of these exfords up to \$3.50 the pair, and you select Saturday at \$2.95.

# A pretty slipper for housewear at \$1.45

About three hundred pairs of these we offer Saturday at this unusually low figure-they are very dainty effects in one strap styleheaded very low-Cuban heels-very stylish.

Another line of house slippers in new nobby styles for your selection Saturday at \$2.35 the pair.

# Misses' and children's school shoes.

For wearing qualities and stylish appearance our school shoes are the peer of any in the city-made with greatest care and of fine materials. they are just as stylish and even better wearing than the "grown ups." We specialize one line for Saturday-a fine dongola, patent tip, extension sole Blucher or button style at the reductions.

Sizes 6 to 8-worth \$1.35 the pair-Saturday \$1.00 Sizes 82 to 11-worth \$1.65 the pair-Saturday \$1.25 Sizes II to 2-worth \$2.00 the pair-Saturday \$1.45

Our "Army Oak School Shoes" for boys are winning an enviable reputation in this city. They are made over lasts especially constructed to conform to the requirements of growing feet. They fit the foot. The foot is not distorted to fit the shoe. You see the advantage at once.

An announcement to set every housekeeper in Salt Lake in a flurry.

men's shirts at generous mark-downs.

# Closing out our entire stock of crockery ware.

Every piece to go-We are going to cease handling this line -Here are reductions you'll never see equalled. All dinner sets, all open stock dinner ware, all glass ware and fancy China at wonderful reductions-Sale starts Saturday morning at 8 o'clock-We'il see you here-surely

The most interesting feature will be seven sale tables. Representative lines have been selected from the entire stock and

placed on bargain tables at unprecedented mark downs. A few examples of what you'll find on these tables mentioned here. In dinner ware: bakers, platters, plates, cups and saucers, sugars and creamers, berry bowls, butter dishes, jugs, gravy boats, etc. In glassware: Salt and pepper shakers, vases, flower stands, finger bowls, sugars and creamers, sweet pea dishes, salad dishes, candle sticks, etc. In fancy china: Cups and saucers, individual creamers, salad bowls, berry sets, plates, cake dishes, etc., then there are nice water pitchers, tea pots in heavier ware. An assortment embracing nearly every kind of articles carried in the crockery sec-

tion and at these reductions. Table No. 1-Articles valued up to 25c each

Closing out crockery department price C

Table No. 2-Articles valued up to 50c each

Closing out crockery department price Table No. 3-Articles valued up to 75c each

Closing out crockery department price

Table No. 4-Articles valued up to \$1.00

Closing out crockery department price

Table No. 5-Articles valued up to \$1.25 each

Closing out crockery department price

Table No. 6-Articles valued up to \$1.50 each

Closing out crockery department price

Table No. 7-Articles valued up to \$2.00 each Closing out crockery department price

# Linens and white goods for Saturday shoppers.

All linen bleached napkins—about hundred dozen of them—a splendid quality at \$1.50 the \$1.05 he dozen. Saturday special	Linea hemstitched huck towels—a hundred dozen in the lot. Win the lot. Worth 35c each. 22c Saturday special
White pique, worth 35c the yard, Sat- urday while it lasts, the yard	White lingeric cloth—a 47 piece lot to close Sat- urday. 42 inches wide. Worth 45c the yard
Irish batiste lawns in dots, stripes and floral designs—worth 15c the yard. 81c	Embroidered Swisses in colored dots on white grounds. Only fifteen pieces of this, so hurry; 90 worth 25c the yard—while it lasts
Shadow silk mulls in all size dots. Worth 75c the yard. Saturday 39c	Scotch chambray—32 inches wide. Good line of plain colors—worth 25c the yard; Saturday special

# A few lines of draperies and rugs to close Saturday.

Ruffled net curtains A very splendid value—One hundred pairs in the lot—all of one pattern. Very fine values at \$2.25 the pair—Saturday, one day, you take them at, Grenadine portieres

at \$2.00 and \$2.25 the pair—Saturday you choose at this price \$1.19

Granite art squares to close.

These great reductions on our entire stock of granite art aquares—og-ery one must go to make room for new arrivals.

Size 9 by 9, worth \$3.50 each-Choice, \$1.88. Size 9 by 7-6, worth \$4.25 each-Choice, \$2,35. Size 9 by 9, worth \$5.00 each—Choice, \$2.80. Size 9 by 10-6, worth \$6.00 each. Choice, \$3.40.

# Remarkable black silk petticoat sale

Very handsome petticoats made very full, with deep accordeon pleated flounce and ruffle. Values recognized at \$16.00 \$ 9.95 regular. You choose at .....

A very neat corset cover at 65c.

This pretty garment is a strong drawing card-very dainty and neatmade with four rows of lace and insertion. Trimmed with ribbon-usually these would bring much more-but Saturday you choose at 45c. First floor Annex.

# Stylish covert jackets worth \$7.50 each for \$5.45

Handsomely tailored with straps and lap seams. Single breasted and fitted back styles. Very

splendid offer for Saturday only. Walking skirts special A handsome line of these made up in plaids and checks, light and medium shades. Side pleated and all wool materials. Worth \$9.00 to \$6.95

Tailored suits special

Some very pretty tailored suits in the Eton, Pony and semi-fitted styles. Made of chiffon Pranamas and fancy worsteds. Light and medium shades—two prices—special——\$25.00 and \$30.00 1. S25.00 and \$30.00